

PATENT COOPERATION TREATY

From the:
INTERNATIONAL SEARCHING AUTHORITY

REC'D 08 MAR 2005

WIPO

PCT

PCT

To:

Freehills Patent & Trade Mark Attorneys
Level 43
101 Collins Street
MELBOURNE VIC 3000

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing
(day/month/year) 02 MAR 2005

Applicant's or agent's file reference
80773162RNM

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/AU2004/001763

International filing date (day/month/year)
15 December 2004

Priority date (day/month/year)
19 January 2004

International Patent Classification (IPC) or both national classification and IPC
Int. Cl. ⁷ G06F 17/30

Applicant
HAMILTON, Nigel

1. This opinion contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the opinion |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the IPBA/AU
AUSTRALIAN PATENT OFFICE
PO BOX 200, WODEN ACT 2606, AUSTRALIA
E-mail address: pct@ipaustalia.gov.au
Facsimile No. (02) 6285 3929

Authorized Officer

MATTHEW HOLLINGWORTH
Telephone No. (02) 6283 2024

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/AU2004/001763

Box No. I Basis of the opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/AU2004/001763

Box No. V. Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims 2-9, 12-29, 31, 33-34, 38-39	YES
	Claims 1, 10-11, 30, 32, 35-37, 40	NO
Inventive step (IS)	Claims	YES
	Claims 1-40	NO
Industrial applicability (IA)	Claims 1-40	YES
	Claims	NO

2. Citations and explanations:

- D1: US 2004/0003351 A1 (SOMMERER et al), 1 January 2004
- D2: WO 02/35335 A2 (NAVIGATIONZONE LTD), 2 May 2002
- D3: US 2004/0001104 A1 (SOMMERER et al), 1 January 2004
- D4: C. Bouras et al, *Introducing Navigation Graphs as a Technique for Improving WWW User Browsing*
- D5: US 6,195,679 B1 (BAUERSFELD et al), 27 February 2001

NOVELTY (N) claims 1, 10-11, 30, 32, 35-37, 40

Claims 1, 10-11, 30, 32, 35-37, 40: These claims lack novelty when compared to any one of documents D1-D3 and D5.

Claims 1 and 32, at least: D4 discloses all the features of these claims.

INVENTIVE STEP (IS) claims 1-40

Claims 1, 10-11, 30, 32, 35-37, 40: As above.

Claims 9, 12-17, 31: The features of these claims are not seen to confer inventive step in light of any of D1-D3. They relate to details of implementation, and would be contemplated as a matter of course by the skilled addressee when considered the prior art.

Claims 2-8, 18-22, 33, 38: The additional features of these claims relate to the matching of an HTML form structure to forms used by known third-party search engines, thereby allowing search queries to be intercepted by the trail recorder. While this aspect of the invention is not disclosed in any of D1-D3, it is not seen to inventively distinguish the claims from them, since the use of wrappers in this fashion is a well-known technique and would be readily applied to these citations.

Claims 23-29, 34, 39: These claims lack inventive step in light of D4. The additional features of these claims relate to the recalling of previous search trails which may be relevant to the current search query. While D4 makes no explicit disclosure of the claimed steps, it makes a strong suggestion that such steps could be performed. In section 5, "Proposed Enhancements," the possibility of archiving a user's navigation graphs is made. "This could lead to the provision of 'reminders' that would examine the current NG and when finding a relation with an older one, pass information concerning possible next links to the user enabling him to choose." It is considered that the claimed arrangements would follow as a matter of course in light of this disclosure.